

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

ZOHAR III, CORP., *et al.*,¹

Debtors.

ZOHAR CDO 2003-1, LIMITED; ZOHAR II
2005-1, LIMITED; and ZOHAR III,
LIMITED,

Plaintiffs,

v.

PATRIARCH PARTNERS, LLC;
PATRIARCH PARTNERS VIII, LLC;
PATRIARCH PARTNERS XIV, LLC;
PATRIARCH PARTNERS XV, LLC;
PHOENIX VIII, LLC; OCTALUNA LLC;
OCTALUNA II LLC; OCTALUNA III LLC;
ARK II CLO 2001-1, LLC; ARK
INVESTMENT PARTNERS II, LP; ARK
ANGELS VII, LLC; PATRIARCH
PARTNERS MANAGEMENT GROUP, LLC;
PATRIARCH PARTNERS AGENCY
SERVICES, LLC; and LYNN TILTON,

Defendants.

Chapter 11

Case No. 18-10512 (KBO)

Jointly Administered

Adv. Pro. No. 20-50534

**NOTICE OF AMENDED AGENDA² OF MATTERS SCHEDULED FOR
TELEPHONIC HEARING ON OCTOBER 29, 2020 AT 9:30 A.M. (ET)³**

ADJOURNED MATTER

¹ The Debtors, and, where applicable, the last four digits of their taxpayer identification number are as follows: Zohar III, Corp. (9612), Zohar II 2005-1, Corp. (4059), Zohar CDO 2003-1, Corp. (3724), Zohar III, Limited (9261), Zohar II 2005-1, Limited (8297), and Zohar CDO 2003-1, Limited (5119). The Debtors' address is 3 Times Square, c/o FTI Consulting, Inc., New York, NY 10036.

² All amendments appear in bold.

³ All parties wishing to participate should make arrangements through CourtCall at 1-866-582-6878.

1. Patriarch's Motion for Entry of an Order (A) Enforcing and Implementing the Terms of the Settlement Agreement and (B) Granting Related Relief [(SEALED) D.I. 1903; 8/31/20; (REDACTED) D.I. 1912; 9/3/20]

Related Documents:

- A. Order Authorizing Filing of Motion Under Seal [D.I. 2004; 10/13/20]

Response Deadline: October 5, 2020 at 4:00 p.m. (ET) with respect to the requested non-PPAS relief; November 5, 2020 at 4:00 p.m. (ET) with respect to the requested PPAS relief

Reply Deadline: October 8, 2020 at 4:00 p.m. with respect to requested non-PPAS relief; November 10, 2020 at 12:00 p.m. (ET) with respect to the requested PPAS relief

Responses Received:

- B. Debtors' Objection to Patriarch's Motion for Entry of an Order (A) Enforcing and Implementing the Terms of the Settlement Agreement and (B) Granting Related Relief [(SEALED) D.I. 1979; 8/31/20; (REDACTED) D.I. TBD; TBD]
- C. Patriarch's Reply in Support of Its Patriarch's Motion for Entry of an Order (A) Enforcing and Implementing the Terms of the Settlement Agreement and (B) Granting Related Relief [(SEALED) D.I. 1982; 10/8/20; (REDACTED) D.I. TBD; TBD]

Status: This matter is adjourned to November 12, 2020 at 10:00 a.m. (ET) with respect to the requested PPAS relief and, at the direction of the Court, adjourned to a date and time to be determined with respect to the requested non-PPAS relief.

MATTERS GOING FORWARD

2. Motion of Certain Portfolio Companies of the Debtors' for an Order Staying Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [(SEALED) D.I. 1928; 9/9/20; (REDACTED) [D.I. 1939](#); 9/14/20]

Related Documents:

- A. Declaration of Sean H. McMahon in Support of the Motion of Certain Portfolio Companies of the Debtors' for an Order Staying Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [[D.I. 1929](#); 9/9/20]
- B. Motion of Certain Portfolio Companies of the Debtors to File Under Seal the Motion of Certain Portfolio Companies of the Debtors' for an Order Staying

Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [[D.I. 1940](#); 9/14/20]

- C. Notice of Motion [[D.I. 1941](#); 9/15/20]
- D. Declaration of Jennifer X. Luo in Support of The Patriarch Stakeholders' Objection to the Motion of Certain Portfolio Companies of the Debtors' for an Order Staying Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [(SEALED) D.I. 1974; 9/30/20; (REDACTED) D.I. TBD; TBD]
- E. Order Granting Certain Portfolio Companies of the Debtors' to File Under Seal the Motion of Certain Portfolio Companies of the Debtors for an Order Staying Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [[D.I. 1977](#); 10/5/20]
- F. Motion of Certain Portfolio Companies of the Debtors to File Under Seal the Reply of Certain Portfolio Companies of the Debtors in Support of their Motion for an Order Staying Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [[D.I. 2009](#); 10/13/20]

Response Deadline: September 30, 2020 at 4:00 p.m. (ET)

Responses Received:

- G. Debtors' Joinder to Motion of Certain Portfolio Companies of the Debtors' for an Order Staying Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [[D.I. 1949](#); 9/17/20]
- H. The Patriarch Stakeholders' Objection to the Motion of Certain Portfolio Companies of the Debtors' for an Order Staying Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [(SEALED) D.I. 1973; 9/30/20; (REDACTED) D.I. TBD; TBD]
- I. Reply of Certain Portfolio Companies of the Debtors in Support of their Motion for an Order Staying Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [(SEALED) D.I. 1987; 10/8/20; (REDACTED) [D.I. 2008](#); 10/13/20]

Status: This matter is going forward with oral argument.

- 3. Status Conference for Adversary Case No. 20-50534

Related Documents:

- A. Complaint [(SEALED) Adv. Case No. 20-50534 D.I. 1/2; 3/9/20]

- B. Summons and Notice of Pretrial Conference in an Adversary Proceeding [Adv. Case No. 20-50534 [D.I. 3](#); 3/9/20]
- C. Order Authorizing Filing of the Complaint Under Seal [Adv. Case No. 20-50534 [D.I. 11](#); 4/1/20]
- D. Order Approving Stipulation Extending Deadlines to Answer or Respond to Complaints [Adv. Case No. 20-50534 [D.I. 13](#); 4/9/20]
- E. Order Regarding Defendants' Motion to Extend Time to Answer or Otherwise Respond to the Complaint [Adv. Case No. 20-50534 [D.I. 34](#); 7/23/20]
- F. Order Approving Stipulation for Extension of Time [Adv. Case No. 20-50534 [D.I. 37](#); 8/21/20]
- G. Order Approving Stipulation for Extension of Time [Adv. Case No. 20-50534 [D.I. 42](#); 9/17/20]
- H. Declaration of Theresa Trzaskoma in Support of Defendants' Motion to Dismiss the Complaint [(SEALED) Adv. Case No. 20-50534 D.I. 45; 9/21/20]
- I. Defendants' Motion for an Order Authorizing Defendants to Exceed Page Limitation on Brief in Support of Motion to Dismiss [Adv. Case No. 20-50534 [D.I. 46](#); 9/21/20]
- J. Defendants' Motion for Entry of an Order Authorizing the Filing of Defendants' Brief in Support of the Motion to Dismiss and Related Declaration Under Seal [Adv. Case No. 20-50534 [D.I. 47](#); 9/25/20]

Response Deadline: September 21, 2020 at 4:00 p.m. (ET)

Responses Received:

- K. Defendants' Motion to Dismiss the Complaint [Adv. Case No. 20-50534 [D.I. 43](#); 9/21/20]
- L. Brief in Support of Defendants' Motion to Dismiss the Complaint [(SEALED) Adv. Case No. 20-50534 D.I. 44; 9/21/20]

Status: The Debtors wish to address the Court regarding scheduling of the subject adversary proceeding.

ADDITIONAL MATTER

- 4. **Motion of Certain Portfolio Companies of the Debtors to File Under Seal the Reply of Certain Portfolio Companies of the Debtors in Support of their Motion for an Order Staying Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [[D.I. 2009](#); 10/13/20]**

Related Documents:

- A. **Reply of Certain Portfolio Companies of the Debtors in Support of their Motion for an Order Staying Litigation Against the Portfolio Companies Under 11 U.S.C. § 105 and 11 U.S.C. § 362 [(SEALED) D.I. 1987; 10/8/20; (REDACTED) [D.I. 2008](#); 10/13/20]**

Response Deadline: **October 19, 2020 at 10:00 a.m. (ET)**

Responses Received: **None**

Status: **This matter is going forward.**

Dated: October 27, 2020
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Shane M. Reil

James L. Patton, Jr. (No. 2202)

Robert S. Brady (No. 2847)

Michael R. Nestor (No. 3526)

Joseph M. Barry (No. 4221)

Ryan M. Bartley (No. 4985)

Shane M. Reil (No. 6195)

Rodney Square

1000 North King Street

Wilmington, Delaware 19801

Telephone: (302) 571-6600

Facsimile: (302) 571-1253

Email: jpatton@ycst.com

rbrady@ycst.com

mnestor@ycst.com

jbarry@ycst.com

rbartley@ycst.com

sreil@ycst.com

Counsel to the Debtors and Debtors in Possession